

IN THE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

| | | |
|-------------------------------------|---|--------------------------------|
| ELIZABETH RUIZ, as mother and |) | |
| natural guardian of ERIN ARTIS, and |) | |
| ELIZABETH RUIZ, individually, |) | |
| |) | CASE NO.:04CV12119-PBS |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| UNITED STATES OF AMERICA, |) | <u>MOTION FOR EXTENSION OF</u> |
| |) | <u>TIME</u> |
| Defendant. |) | |

Now comes the defendant, United States of America,¹ and hereby moves this Court for a one month extension of time **up to and including January 6, 2005**, to answer or otherwise respond to the Complaint. As reasons therefore, the undersigned counsel for the United States asserts that such an extension will allow counsel the necessary time to obtain relevant facts and background information of this matter.

The United States asserts that there have been no prior requests for extensions in this action.

¹ This motion is not intended to be a responsive pleading. By the filing of this motion, the United States is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. The United States intends to raise those defenses when it answers or otherwise responds to the Complaint.

WHEREFORE, the United States respectfully requests that this Court allows its motion for an extension of time **up to and including January 6, 2005**, to answer or otherwise respond to the Complaint.

Respectfully submitted,

UNITED STATES OF AMERICA

By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/Gina Walcott-Torres
Gina Walcott-Torres
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Dated: December 2, 2004